



IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application : Anthony H. Cincotta  
Serial No. : 10/627,014  
Filed : July 25, 2003  
For : THERAPEUTIC TREATMENT FOR THE  
METABOLIC SYNDROME AND TYPE 2  
DIABETES  
  
Examiner :  
Attorney Docket : 102392-200  
Group Art Unit :  
Confirmation No. : 3686  
Customer No. : 27267

\*\*\*\*\*

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on 12 MAY 2006.

By Todd E. Garabedian  
Todd E. Garabedian, Ph.D.  
Registration No. 39,197  
Attorney for Applicant

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SUPPLEMENTAL INFORMATION DISCLOSURE LETTER

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Supplemental Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

1. United States Patent Number 6,004,972, CINCOTTA, ET AL. 21 December 1999 (12-21-1999).
2. English translation of Chinese article entitled: "*Compatibility of dopamine hydrochloride and inosine in transfusion*", JOURNAL OF MEDICAL SCIENCE YANBIAN UNIVERSITY, Vol. 21, No. 2, Page 102, 21 February 1998 (02-21-1998).

Applicant submits that copies of the above-cited references are enclosed herewith.

If the Examiner has any questions or feels that a discussion with Applicant's representative would expedite prosecution, the Examiner is invited and encouraged to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

ANTHONY H. CINCOTTA

Date: 12 MAY 2006

By: 

Todd E. Garabedian, Ph.D.  
Registration No. 39,197  
Attorney for Applicant

WIGGIN AND DANA LLP  
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Attorney for Applicant

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.56, the Examiner is respectfully requested to consider the references cited on attached Form PTO-1449. A copy of each reference (if not previously submitted) is enclosed. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- [X] 1. This Information Disclosure Statement is being filed within three months of the U. S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U. S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1); and no fee is required under 37 C.F.R. §1.17(p).
- ☐ b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2); and no fee is required under 37 C.F.R. §1.17(p).
- ☐ Please charge Deposit Account No. 23-1665 in the amount of \$240.00 in payment of the fee under 37 C.F.R. §1.17(p). Two additional copies of this Information Disclosure Statement are enclosed.
- ☐ A check in the amount of \$240.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered.
- ☐ a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).

- ☐ b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).
- ☐ Please charge Deposit Account No. 23-1665 in the amount of \$130.00 in payment of the fee under 37 C.F.R. §1.17(i)(1). Two additional copies of this Information Disclosure Statement are enclosed.
- ☐ A check in the amount of \$130.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(i)(1).

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Respectfully submitted,

ANTHONY H. CINCOTTA

Date:

5/12/06

By:

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT		ATTY. DOCKET NO. 102392-200		SERIAL NO: 10/627,014		
		APPLICANT: ANTHONY H. CINCOTTA				
		FILING DATE: JULY 25, 2003		GROUP:		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPR.
	6,004,972	12-21-1999	Cincotta, A. H., et al.	A61K	31/44	
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION Yes No
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)						
	English translation of Chinese article entitled: " <i>Compatibility of dopamine hydrochloride and inosine in transfusion</i> ", JOURNAL OF MEDICAL SCIENCE YANBIAN UNIVERSITY, Vol. 21, No. 2, Page 102, February 21, 1998 (02-21-1998).					
EXAMINER:				DATE CONSIDERED:		
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \\15546\5\593654.1						